

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LISA COLLADO, as Parent and Natural Guardian :	
of C.M., and LISA COLLADO, Individually, :	
Plaintiffs, :	
-against- :	
RICHARD CARRANZA, IN HIS OFFICIAL :	
CAPACITY AS CHANCELLOR OF THE NEW :	
YORK CITY DEPARTMENT OF EDUCATION, :	
NEW YORK CITY DEPARTMENT OF :	
EDUCATION, AND NEW YORK STATE :	
EDUCATION DEPARTMENT, :	
Defendants. :	
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19-CV-8380 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on January 2, 2020 the Court ordered Plaintiff to show cause why this case should not be dismissed with prejudice for failure to prosecute under Fed. R. Civ. P. 41(b) (Dkt. 35);

WHEREAS on January 9, 2020 Plaintiff submitted a letter indicating that “a successful resolution of the Plaintiff’s claims” had “obviated the need for motion practice,” and requested that the case be dismissed without prejudice (Dkt. 36);

WHEREAS on January 9, 2020, Defendant submitted a letter claiming that Plaintiff failed to inform Defendants of any change in circumstances and requesting that the case be dismissed with prejudice (Dkt. 37);

WHEREAS on January 10, 2020, the Court ordered Plaintiff to submit an affidavit no later than January 15, 2020 responding to Defendants' letter and stating with specificity what

exactly occurred that "obviated the need for motion practice" and why they failed to timely inform opposing counsel or the Court (Dkt. 38);

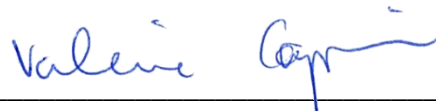
WHEREAS on January 15, 2020, Plaintiff's counsel submitted an affirmation apologizing for his failure to inform opposing counsel and the Court of the resolution (Dkt. 39);

WHEREAS the affirmation represents that Plaintiff has successfully obtained the relief sought in this case and yet fails to provide an adequate explanation for the failure to inform opposing counsel and the Court of the resolution;

IT IS HEREBY ORDERED that this case is dismissed with prejudice for failure to prosecute under Fed. R. Civ. P. 41(b).

**SO ORDERED.**

**Date: January 16, 2020  
New York, NY**



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**VALERIE CAPRONI  
United States District Judge**